



DAE
1654/1A
JHW
8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/772,445
Applicant : Hynda K. KLEINMAN et al.
Filed : January 29, 2001
TC/A.U. : 1654
Examiner : B. Dell Chism
Confirmation No. : 1045

Docket No. : 2600-109
Customer No. : 6449

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

**PETITION PURSUANT TO 37 C.F.R. § 1.78(a)(3) TO
ACCEPT UNINTENTIONAL DELAYED CLAIM UNDER 35 U.S.C. § 120**

Sir:

Applicant respectfully petitions that an unintentionally delayed claim under 35 U.S.C. § 120 be accepted, so as to make the present application a continuation of international patent application No. PCT/US99/17282, filed July 29, 1999, published under PCT Article 21(2) in English, which claims benefit to U.S. provisional patent application Serial No. 60/094,690, filed July 30, 1998. Applicants submit herewith an Application Data Sheet setting forth this priority information and note that the present application was amended on November 26, 2003 to include this cross-reference information. Applicants further note that the present application was amended on November 13, 2001 to make claim to benefit to the international patent application, as well as the provisional patent application.

The entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2) and the date the claim was filed was unintentional.

02/09/2006 HALI11 00000007 022135 09772445
01 FC:1454 1370.00 DA

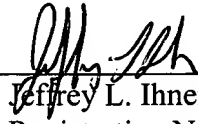
Application Serial No. 09/772,445
Petition Dated 7 February 2006

The surcharge set forth in 37 C.F.R. § 1.17(t) is included. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An additional copy of this letter is included for that purpose.

Respectfully submitted,

ROTHWELL, FIGG, ERNST & MANBECK, p.c.

By



Jeffrey L. Ihnen

Registration No. 28,957

Attorney for Applicants

1425 K Street, N.W., Suite 800

Washington, D.C. 20005

Telephone No.: (202) 783-6040

Facsimile No.: (202) 783-6031

2600-109.Pet.Rule 78.wpd